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Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

| | | |
|-------------------------------|---|----------------------------------|
| KAIWEN CAI, |) | No. C 07-4886 HRL |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | STIPULATION TO DISMISS; PROPOSED |
| MICHAEL B. MUKASEY,* Attorney |) | ORDER |
| General; et al., |) | |
| |) | |
| Defendants. |) | |

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services has approved Plaintiff's application for adjustment of status.

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*Pursuant to Fed. R. Civ. P. 25(d)(1), Michael B. Mukasey is substituted for his predecessor, Alberto Gonzales, as the United States Attorney General.

STIPULATION
 07-4886 HRL

Each of the parties shall bear their own costs and fees.

Dated: March 28, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
MELANIE L. PROCTOR¹
Assistant United States Attorney
Attorneys for Defendants

Dated: March 27, 2008

/s/
XIA ZHAO, Esq.
Attorney for Plaintiff

PROPOSED ORDER

Pursuant to stipulation, IT IS SO ORDERED. All pending deadlines are hereby terminated.

The Clerk shall close the file.

Dated:

HOWARD R. LLOYD
United States Magistrate Judge

¹ I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/s/) within this efiled document.